



CITY OF
ISSAQUAH
DEVELOPMENT SERVICES

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
HEARING EXAMINER**

**Staff Report
Jazz Run Preliminary Plat
April 28, 2015**

APPLICATION: PP14-00003

PROJECT: Jazz Run Preliminary Plat

APPLICANT: Darren Ludwigsen
Summit Homes of Washington LLC
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Tukwila, WA. 98188

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REQUEST: Preliminary plat application to subdivide a 6.2 acre site into 19 single family residential lots. Lot sizes range between 4,661 and 6,549 square feet. The proposal includes a .46 acre stormwater/utility tract (Tract A) and a 2.4 acre wetland/open space tract (Tract B).

LOCATION: 23023, 23121, 23131 SE 48th Street. See Vicinity Map, Exhibit 2.

KC TAX PARCEL NUMBER: 222406-9048, 22406-9126, 222406-9098

SITE AREA: 6.22 acres

COMPREHENSIVE PLAN: “Low Density Residential”
The site is located within the “North Issaquah” Subarea of the Comprehensive Plan.

EXISTING ZONING:

SF-SL (Single-Family Small Lot)

BACKGROUND:

February 28, 2000: The property was annexed into the City of Issaquah, Ord. 2255

October 15, 2014: Pre-Application meeting, PRE14-00008.

December 31, 2014: Application for Preliminary Plat submitted.

February 3, 2015: Neighborhood Public Meeting held with the River & Streams Board

March 18, 2015: SEPA Mitigated Determination of Nonsignificance (MDNS) issued.

PUBLIC NOTIFICATION:

January 23, 2015: Notice of Application and notice of Neighborhood Public Meeting. The notice was mailed to property owners within 300 feet.

March 18, 2015: SEPA Determination published in Issaquah Press.

April 15, 2015: Property posted with sign "Notice of Proposed Land Use Action."

April 15, 2015: Notice of preliminary plat public hearing sent to property owners within 300 feet and parties of record.

April 22, 2015: Preliminary plat public hearing notice published in Issaquah Press.

Affidavits of mailed notices and of legal notices are in the Preliminary Plat file, and provided as Exhibit 10.

EXISTING SITE CONDITIONS:

The preliminary plat site is comprised of 3 separate parcels. All the parcels are currently developed with single-family residences. Two of the parcels have existing homes which would be removed for the preliminary plat. A lot line adjustment on the third parcel would split off the north half for the preliminary plat, while retaining the existing residence on the south portion of the parcel, separate from the preliminary plat (Teunissen parcel, APN 2224069126).

The site slopes moderately (10-20%) north to south, from a high point elevation of approximately 455 feet to an elevation of approximately 410 feet in the south part of the site.

The south portion of the site includes a 1.76 acre Category 2 wetland. This wetland is part of a larger wetland system which extends off site and is approximately 4 acres in total area. The on-

site wetland consists of a palustrine emergent plant community dominated by monotypic reed canarygrass.

The western part of the site is heavily forested with a mix of native trees, the remaining part of the site has more scattered native and ornamental trees and vegetation.

SURROUNDING LAND USES:

North: City of Sammamish, Single family residential development

South: Single family residential development, Issaquah 22/Rivenwood Plat

East: Single family residential development, McBride/Avery Pointe Plat

West: Single family residential larger lots, Highland Terrace Plat

PROJECT DESCRIPTION:

Preliminary plat application to subdivide a 6.22 acre site into 19 lots for construction of single family residences. Lot sizes range between 4,661 and 6,549 square feet (SF). The proposal includes a .46 acre stormwater/utility tract (Tract A) and a 2.4 acre wetland/open space tract (Tract B). There are currently 2 single family residences on the site which would be removed for the proposed development.

There is a 1.76 acre Category 2 wetland on the south portion of the site. This wetland extends off site and is approximately 4 acres in total area. The proposal is to reduce the 75-foot wetland buffer by 25% (to 56.25 feet) with planting enhancement of the reduced buffer and enhancement in part of the wetland area.

Access to the proposed lots is from a new public street off SE 48th Street.

A project narrative is included as Exhibit 3 and the preliminary plat plans as Exhibit 4.

REVIEW PROCESS:

The Issaquah Municipal Code (IMC) Section 18.04.490 states that Preliminary Plats shall be reviewed through a Level 4 review process and that the Hearing Examiner shall hold a public hearing and make the final decision.

After approval of a preliminary plat, the applicant may apply for construction permits to construct the roads, utilities and grading of the lots. A final plat review will follow after subdivision infrastructure has been installed or bonded for prior to recordation. Final plats also require the approval of the Hearing Examiner. After the final plat is recorded, single family building permits may then be issued for construction of residences on individual lots.

CITY DEPARTMENT REVIEW:

Application materials have been reviewed by City staff and departments including Fire, Police, Building, Parks, Engineering, and Public Works Operations. Their comments have been incorporated into this staff report, and their additional review will be required for construction and building permits.

PRELIMINARY PLAT REVIEW:

1. Comprehensive Plan and Zoning

The site is designated as “Low Density Residential” (LDR) in the Comprehensive Plan and is located in the “North Issaquah” subarea. The purpose and intent of the LDR designation is:

....to provide a variety of housing types and densities within a full range of urban services. The primary use in this designation is housing. The appropriate density of the individual residential zoning districts is based on the availability of urban services and the proximity to local streets, arterials and pedestrian access. Those areas with critical areas shall be appropriate for low density residential, with the intent to protect environmentally critical areas from impacts associated with more intensive development. These environmentally critical areas are valued as a community resource, both for conservation purposes and public enjoyment; provided, that the environmentally critical areas are protected, low density single family residential use may be appropriate.

The proposed single-family residential subdivision is consistent with the Comprehensive Plan designation. Urban services are available to the site, access proximate to local streets, and the wetland critical areas are protected.

The property is located in the Single-Family Small Lot (SF-SL) zoning district. The purpose of the SF-S zone is:

The primary purpose of this district is to provide for single family neighborhoods which are in close proximity to low density multifamily neighborhoods and urban services. This district may include some of the historic plats of Issaquah. Appropriate areas for this district include those neighborhoods which are currently medium density single family or would be suitable because of the compatibility to surrounding densities and proximity to urban services. Permitted uses include single family homes, assisted living facilities and senior housing. Recreational uses which serve the neighborhood and urban services are also permitted; provided, that traffic and other related impacts are not detrimental to the district. In addition to the objectives stated in the Purpose and Intent section of this chapter, the following objectives also apply to this district:

- 1. Establish and preserve residential neighborhoods;*
- 2. Encourage the reuse and remodeling, rather than demolition, of historic buildings to provide alternative housing opportunities;*
- 3. Provide opportunities for single family residential development in areas served by public and urban services.*

The proposed single-family residential subdivision is consistent with the purpose of the SF-SL zone; it is compatible with surrounding residential densities and proximate to urban services.

2. Subdivisions – IMC Chapter 18.13

The proposal complies with the preliminary plat requirements of the Subdivision Chapter. The preliminary plat met the application submittal requirements. A pre-application meeting (PRE14-00008, October 15, 2014), and a public Neighborhood Meeting with the City’s River & Streams Board (February 3, 2015) were held. Under IMC 18.13.140, the Hearing Examiner shall conduct a public hearing prior to making a decision on a preliminary plat.

After approval of a preliminary plat, the applicant may apply for construction permits to construct the roads, utilities and grading of the lots. A final plat review will follow after subdivision

infrastructure has been installed or bonded for prior to recordation. Single family building permits may then be issued for individual lot construction.

The applicant shall apply for a Site Work Permit to construct the roads, utilities and grading of the lots. A final plat review will follow after subdivision infrastructure has been installed or bonded for prior to recording.

3. Development and Design Standards – IMC Chapter 18.07

District Standards Table 18.07.360 – Single Family Suburban (SF-SL) Zone

Development Standard	Required	Proposed
Maximum density	7.26 lots per acre (gross density)	3.05 lots per acre (gross density)
Lot size	6,000 square feet minimum	Varies between 4,661 and 6,549. Smaller lot sizes allowed with density transfer from critical areas.
Lot width	No minimum	48 to 60 feet
Front yard setback	10 feet	Unknown at this time, will be reviewed with Building Permits
Rear yard setback	20 feet	Unknown at this time, will be reviewed with Building Permits
Side yard setback	6 feet	Unknown at this time, will be reviewed with Building Permits
Maximum impervious area:	50% maximum	Unknown at this time, will be reviewed with Building Permits
Minimum pervious area:	50% minimum	Unknown at this time, will be reviewed with Building Permits
Building height:	30 feet	Unknown at this time, will be reviewed with Building Permits

Residential Density

The site is zoned Single-Family Small Lot (SF-SL) which allows a maximum density of 7.26 dwelling units per acre. Per the City's Critical Areas Regulations, critical areas and associated buffers, including: steep slopes, wetlands, and streams cannot be developed and receive only partial density credit which may then be transferred to the developable area of the site (IMC 18.10.450). The gross site area is 6.22 acres. There are 2.29 acres of critical areas and buffers on the site. This equates to 37% of the total site area. The code allows 70% density credit when 31-40% percent of a site is encumbered with critical areas. The following formula is provided in the code to determine the allowed density on sites with critical areas:

Maximum Dwelling Units (DU) = Acres in Critical Areas/Buffers (2.29 Ac.) x Zoning Density (7.26 DU/Ac) x Density Credit of 70% (.70) = 11.6 DU + Acres outside critical areas/buffers (3.93 Ac) x Zoning Density (7.26 DU/Ac) = 28.5 DU = 40 total dwelling units.

The proposal for 19 lots has a gross density of 3.05 DU/Ac, well below the allowable maximum density of 7.26 DU/Ac which could yield 40 total dwelling units.

Minimum Lot Size

The SF-SL zone requires a 6,000 SF minimum lot size. However, the code allows “*lot sizes below the minimum required for that zone to accommodate the transfer of density*” from critical areas, provided the maximum zoning density is not exceeded. The intent of this code provision is to provide incentives for preservation of critical areas, flexibility in design, and to achieve residential density consistent with the Comprehensive Plan. The code doesn’t include specific guidance or a methodology to correlate the degree of reduced lot sizes to the relative amount of critical areas on a site. The Jazz Run plat includes 99,752 SF (2.29 acres) of critical areas and buffers and the sum total reduction in the lot sizes below the 6,000 SF minimum lot size is 11,717 SF. Thus, the proposed lot size reduction is far less than the area transferred from the on-site critical areas.

The code requires that building setbacks and impervious surface coverage (40%) standards are maintained on the reduced-sized lots. Therefore, house sizes will be proportional to the lot sizes, which maintains consistency with neighborhood character. Building setback and impervious surface coverage will be reviewed with Building Permits.

Building Setbacks

The SF-SL zone requires a 10-foot front yard building setback, a 20-foot rear yard setback and 6-foot side yard setbacks. The proposed lots provide ample area to meet the setback requirements. Building setbacks will be reviewed with Building Permits.

Impervious surface area

The SF-SL zone allows a maximum impervious surface area of 50%. Critical areas and buffers may be counted toward the pervious surface requirement. The total site area is 6.22 acres and the wetland/wetland buffer area (Tract B) is 2.29 acres which equates to 37% of the total site area that would be preserved as pervious surface. In addition, the 50% maximum impervious surface limit will be applied to and verified with building permits on each of the residential lots.

4. Non-motorized Facilities in Single Family Developments (IMC 18.07.081)

This code section requires all new single family developments (2 or more lots) to provide nonmotorized access by walkways, shared use paths or trails to link developments to activity centers, parks, open spaces, schools, public streets, public facilities, etc. The requirement is for non-motorized, off-road facilities in addition to any required sidewalks or bike lanes. The purpose stated in the code is to increase safe nonmotorized access and mobility, to help remove nonmotorized and vehicular movement conflicts, and to support transportation options.

The proposal includes a 4-foot wide soft surface trail in the outer part of the wetland buffer. This wetland buffer trail has also been provided with recent adjacent plats (McBride and Issaquah 22) and as other properties develop the trail will eventually connect around the entire 4+ acre wetland, providing a passive walking trail for the neighborhood around a central, natural open space amenity. The plans show a trail access to the wetland buffer trail at the south end of Road C. A public access easement shall be provided on the Final Plat for the wetland buffer trail and the trail connection off Road C. Future maintenance of the trail shall be the responsibility of the Homeowner’s Association.

Directly east of the Jazz Run site is a gravel road which was established as a public trail with the McBride plat, connecting SE 48th St through the McBride plat to the wetland buffer trail. A connection to the gravel road from the east end of the cul-de-sac (Road A) would allow future residents to access the gravel road/pedestrian trail without walking up to SE 48th St. The applicant shall provide a public access easement and construct this trail connection.

5. Parking – IMC Chapter 18.09

The code requires 2 parking spaces per single family residence. Per the applicant, each residence will have a 2-car garage to meet this standard. This will be reviewed with building permits. Parking would also be available in driveways. The proposed street sections provide a parking lane on one side of the street and a parking lane would also be provided with street improvements on SE 48th St. This would add approximately 8 on-street parking spaces within the Jazz Run plat and about 25 parking spaces along SE 48th St.

6. Landscaping and Tree Retention – IMC Chapter 18.12

Subdivisions in the SF-SL zone are required to retain a minimum of 30% of the total caliper of existing significant trees outside of critical areas and buffers. The tree retention plan (Sheet C-800) indicates 31.1% of the total caliper of significant trees would be preserved. The preserved trees are primarily located along the west portion of the site. Mature, native trees are preserved adjacent to the wetland buffer, these trees are included in Tract B. This meets code priorities for tree retention in terms of saving trees in large groupings to form a continuous canopy and preserving native trees adjacent to critical areas/buffers. Trees would also be retained along the west boundary of Lots 1-5. Preservation of these trees would provide a vegetative screen and buffer from the adjacent property to the west of the plat.

The following tree protection measures were required as SEPA mitigation measures:

- Trees are shown to be preserved along the west property boundary, on the back of Lots 1-5. These retained trees could be impacted by clearing and grading for construction of residences on Lots 1-5. Clearing and grading shall be outside the critical root zone of preserved trees. To provide adequate tree protection may require adjusting clearing/grading limits on these lots.
- Approved tree protection measures must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation. Clearing and grading shall be outside the critical root zone of significant trees.
- After rough clearing and grading, trees retained along the edge of clearing limits shall be evaluated for hazard trees. If removal of hazard trees is necessary, the applicant shall plant replacement trees consistent with the City's landscape code for replacement trees, IMC18.12.1390.

The internal streets and SE 48th St frontage improvements would include a landscape strip between the street and sidewalk which would be planted with street trees. The plant selection and landscape details will be further reviewed with construction permits.

7. Environmental Protection – IMC Chapter 18.10

Environmental Review:

The City's SEPA Responsible Official reviewed the proposed subdivision and determined it would not have a probable significant adverse impact on the environment. The determination was made after review of a completed environmental checklist, technical reports and site plan materials. Accordingly, the City issued a Mitigated Determination of Non-Significance (MDNS) on March 18, 2015 (Exhibit 12). The 21-day combined comment/appeal period ended April 8, 2015. No comments were received or appeals filed. The SEPA mitigation measures are included as project conditions for the preliminary plat application.

Critical Areas Regulations:

A Wetland Report (Altmann Oliver Associates, dated December 31, 2014, Exhibit 7) was prepared to determine the presence of jurisdictional wetlands and to provide the wetland rating in order to determine wetland buffer requirements. There is a 1.76 acre Category 2 wetland on the south portion of the site, which requires a 75-foot buffer. This wetland extends off site and is approximately 4 acres in total area. The proposal is to reduce the 75-foot wetland buffer by 25% (to 56.25 feet) with planting enhancement of the reduced buffer area. The proposed buffer reduction is consistent with the City's Critical Areas Regulations (IMC 18.10.650.D).

The proposal includes a 4-foot wide soft surface trail in the outer part of the wetland buffer. Trails within wetland buffers are required to buffer average, or provide additional buffer area equal to the area of the trail (IMC18.10.610.B.5). The wetland buffer trail would encroach 1,563 SF in the buffer. The buffer averaging would add 1,823 SF of buffer area. Alignment of the wetland buffer trail shall avoid impacting existing trees and the alignment shall be approved by the Development Services Department prior to installation.

Vegetation within the on-site wetland is presently dominated by monotypic reed canary grass (a non-native invasive species) with patches of cattails. The applicant proposes to enhance approximately 42,500 SF of the on-site wetland with planting approximately 1,500 willow (*Salix* sp.) cuttings within the reed canary grass portion of the wetland. The proposed enhancement would increase the structural diversity of vegetation and improve habitat functions over current conditions. The proposed enhancement within the wetland would address the indirect impacts of the development on existing wetland natural processes related to water flows, and the inputs of sediments and nutrients and also the indirect impacts of human/pet activity after completion of the development. Under current conditions wetland habitat functions are relatively low because the wetlands are largely dominated by invasive plant species (reed canarygrass). Enhancement of wetlands/wetland buffer areas would improve functions over existing conditions, and begin restoring the wetland/wetland buffer area to more natural scrub-shrub and forested conditions, establishing native vegetation communities that would improve wetland functions over the long term. The wetland buffer and wetland enhancement plan is included as Exhibit 8). The applicant shall provide an as-built plan of the wetland/wetland buffer enhancement and the consulting biologist shall verify in writing that the planting has been installed per plan prior to final plat approval.

The development could impact existing wetland hydrology by directing surface flows into the stormwater system. In order to maintain hydrology to the wetland, the applicant shall prepare a wetland hydrology analysis to demonstrate pre-development hydrology to Wetland A would be maintained. Stormwater recharging the wetland shall be treated for water quality or come from non-pollution generating surfaces. This shall be approved by the City prior to issuing construction permits.

To prevent encroachment into the wetland area by residents and pets, the applicant shall install a split rail fence between the buffer trail and the wetland.

The Critical Area Regulations require a 5-year monitoring/maintenance period to ensure successful establishment of the wetland mitigation/enhancement planting. After the 5 year period, maintenance of the wetland will become the responsibility of the Homeowners Association (HOA). The following condition shall be included as a note for Tract B on the Final Plat:

The Homeowner Association (HOA) shall have long-term maintenance responsibilities for the wetland, wetland buffer area in Tract B, consistent with the approved mitigation plan. Maintenance responsibilities include removal of garbage, maintenance of trail and fences, and

hand-removal of invasive plant species such as Himalayan Blackberry, Reed Canary Grass, English Ivy, Thistle, Creeping Nightshade, and Japanese Knotweed.

A SEPA mitigation measure requires protecting the wetland and wetland buffer area as follows:

- The wetland and wetland buffer area are included in Tract B (2.40 acres). Tract B shall be preserved as a critical area/open space tract, protecting vegetation and precluding development in perpetuity. This shall be noted on the Final Plat.

8. Transportation Concurrency Management – IMC Chapter 18.15

Traffic impacts of the proposal have been evaluated through traffic concurrency review. A Certificate of Traffic Concurrency was issued (CON15-00001, Exhibit 9). There are 19 lots proposed and removal of 2 existing single-family residences. The 17 new residential lots would generate a total of 17 new PM peak hour trips, based on a trip generation rate (1.01 PM trips/new SFR lot) from the ITE Manual. The traffic generated from the proposed subdivision would not result in significant adverse impacts on the local street system.

Cumulative traffic impacts from all the developments along SE 48th St (Issaquah 22, McBride) have been mitigated. A new traffic signal has been installed at the intersection of SE 48th St and Issaquah Pine Lake Road, by the developer of the Issaquah 22 (Rivenwood) subdivision to mitigate for traffic impacts. Traffic impacts of the proposed subdivision would also be mitigated by this traffic signal. The developer of Issaquah 22 has a ‘latecomer’s agreement” for the traffic signal, managed by the City of Sammamish, to be reimbursed by development accessing off SE 48th St which benefits from the signal improvement. The applicant shall pay a pro-rata share of the signal cost. This is consistent with the Transportation Concurrency Management code, IMC 18.15. (SEPA mitigation measure #6).

9. Street Standards (Ord. No. 2600)

The subdivision would be accessed from a new public street off SE 48th St. SE 48th St right-of-way is within City of Sammamish jurisdiction and street frontage improvements are required to meet City of Sammamish standards. A City of Sammamish right-of-way permit will be required for all street frontage work on SE 48th St and would address haul routes, traffic control plan and channelization. The new access road will also need to meet City of Sammamish standards for sight distance on SE 48th St. (SEPA mitigation measure #7)

10. Utilities

Water and sewer utilities will be provided by the Sammamish Plateau Water and Sewer District (SPWSD) and there are no issues with capacity of the water/sewer system or providing service to the proposed development.

The proposed roads and homes would generate increased stormwater runoff. Stormwater from most of the development would be directed to a stormwater vault located in Tract A. The stormwater vault would discharge via a dispersal trench into Wetland A. The outlet from this wetland is an intermittent stream on the Issaquah 22 site, which flows from the top of the Sammamish plateau down to the valley floor through a steep ravine. The City planned and permitted a regional stormwater system to tightline the stormwater discharge from developments in the SE 48th St basin down to the valley floor to avoid the potential impacts of increased stormwater volumes causing erosion of the existing hillslope drainage (ASDP14-00005, PUB13-00076). The developer of Issaquah 22 (Rivenwood) has constructed the overflow pipeline as mitigation for their stormwater impacts. A control structure in the wetland would direct peak flows into the pipe tightline while maintaining hydrology in the wetland and the stream outlet.

Issaquah 22 will be working with benefitting parties or execute a “latecomer’s agreement” for the regional stormwater line requiring development that would contribute stormwater flows to pay a proportionate share of the cost.

A hydrologic analysis (Mead & Hunt, 2013) evaluated the regional stormwater system improvements needed downstream of the pipeline outfall in order to convey the increased stormwater volumes. Most of the cost of the improvements relate to existing drainage problems, with stormwater from the developments in the SE 48th St basin contributing to the existing drainage impacts. An in-lieu mitigation fee is required of the developments based on their contribution of flow to the tight-line system in order to partially fund downstream improvements and to mitigate for downstream impacts.

The stormwater vault will need to be accessed by City maintenance vehicles and a hammerhead turnaround for the vehicles is shown in Tract A.

11. Parks and Recreation, Schools

Parks and Recreation: The City’s Land Use Code doesn’t require active recreation areas to be provided on-site; a parks impact fee will apply to each building permit to fund future acquisition and provision of active park areas. The stormwater vault (Tract A) would be landscaped with grass and trees to provide a passive on-site recreation area. It could be further improved to provide more opportunities for active uses; i.e. play equipment, basketball hoop. A design would need to account for maintenance vehicle turnaround.

Schools: The subdivision is in the Issaquah School District. It’s uncertain at this time which schools future residents of the plat would be assigned to. A school bus stop location has not yet been determined. However, the bus route is on SE 48th St and sidewalks internal to the plat would provide a safe, direct walking route to the bus stops on SE 48th St.

12. Washington State Subdivision Law

The criteria for review of a preliminary plat are set forth in RCW 58.17.110 as follows:

Approval or disapproval of subdivision and dedication — Factors to be considered — Conditions for approval — Finding — Release from damages.

(1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative

body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW [82.02.050](#) through [82.02.090](#) may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW [82.02.050](#) through [82.02.090](#) shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

The proposed preliminary plat meets the “factors to be considered” and requirements of RCW 58.17.110. The plat includes appropriate provisions for utilities (potable water supplies, sanitary wastes), streets, open spaces, and drainageways. Impact fees will be required with building permits for parks and recreation, schools, traffic, fire, general government, and police. Sidewalks would provide safe walking routes to school bus stops. Appropriate provisions are made for the public health, safety and general welfare and the public use and interest will be served by the platting and dedication.

13. Impact Fees

Impact fees are required for each new single family residence. The following impact fees will be required and the applicable cost calculated at the time of issuance of building permits for each residential unit: Transportation, Fire, Schools, Parks, General Government (SEPA), Police (SEPA).

PUBLIC COMMENTS:

No public comments were received after the mailed Notice of Application. Verbal comments were provided at the Neighborhood Public Meeting (minutes attached at Exhibit 13). There have been no written comments on the application or SEPA determination.

Comments at the Neighborhood Public Meeting included:

- *Tree Loss: When developments come in, they cut down everything in sight, and remove all of the natural screening the neighbors have from all of this development. Please cut down as few of the row of trees along 48th Street as possible because these trees provide a screen!*

Response: Existing trees along SE 48th St will need to be removed for street frontage improvements, as required by the City of Sammamish. Street trees will be planted, but won’t provide the level of screening as the existing trees.

- *Number of Houses and Lot Sizes: The concentration of homes in these projects is an affront to the rural character of the neighborhood.*

Response: The entire area along SE 48th St (in both Issaquah and Sammamish) is transitioning from larger residential lots to smaller-lot subdivisions. The City’s Comprehensive Plan anticipates development of this area at urban densities to support efficient provision of utilities and service, consistent with the State Growth Management Act (GMA). The lot sizes of the proposed plat are in general larger than the adjacent, recently-approved plat, including the Issaquah 22 and McBride plats.

- *Wetland Buffer Reduction*

Response: The proposal would reduce the 75-foot wetland buffer by 25% (to 56.25 feet) with planting enhancement of the reduced buffer area. The proposed buffer reduction is consistent

with the City's Critical Areas Regulations (IMC 18.10.650.D). The proposed buffer enhancement would increase the structural diversity of vegetation and improve habitat functions over current conditions.

- Water Quality Issues going into this large wetland system

Response: Stormwater would go through water quality treatment prior to discharge into the wetland.

- Loss of Wildlife Habitat and Trees

Response: The proposal would preserve over 30% of the caliper of existing significant trees, outside of critical areas and buffers, consistent with City code requirements. The enhancement of the wetland and wetland buffer areas would improve wildlife habitat over existing conditions within the wetland/wetland buffer areas.

- Construction Impacts: *There are construction-related impacts to the neighborhood that may not be immediately obvious, but occur with construction of the project. Adjustments to the normal construction practices will need to be made. With the Tremont, Issaquah 22, and McBride projects, the vibration and rattling generated to the neighboring houses from the vibrating roller was horrible. Adjustments (such as shorter rolling periods) didn't eliminate the problem, but did help.*

Response: The Jazz Run plat is smaller in scale than the Tremont, Issaquah 22, and McBride projects and construction activity would be shorter in duration. The City is working with the applicant to minimize the amount of fill, which would reduce compaction activity. Vibratory rollers are necessary for compaction of the roadway base. The City will work with the developer and surrounding residents to minimize construction impacts.

CONCLUSIONS:

The proposed Jazz Run Preliminary Plat is consistent with the Issaquah Comprehensive Plan, Issaquah Land Use Code, and other applicable development regulations. The proposal meets the approval criteria of the Subdivision Code, IMC 18.13, and Washington State Subdivision Code, RCW 58.17.110. The project as reviewed above and conditioned below provides appropriate provisions for the public health, safety, and general welfare.

ADMINISTRATION'S RECOMMENDATION:

The City of Issaquah Administration recommends Approval of the Jazz Run Preliminary Plat, PP14-00003 subject to the following conditions:

SEPA Mitigation Measures

1. Final wetland/wetland buffer enhancement plans are required for approval by the Issaquah Development Services Department (DSD) prior to issuing construction permits. Final plans shall include a planting plan and a 5-year monitoring/maintenance plan with performance standards for monitoring success of the enhancement planting. The plans shall meet standards of the King County Critical Areas Mitigation Guidelines for the planting density and monitoring performance standards.
2. The wetland and wetland buffer area are included in Tract B (2.40 acres). Tract B shall be preserved as a critical area/open space tract, protecting vegetation and precluding development in perpetuity. This shall be noted on the Final Plat.

3. Trees are shown to be preserved along the west property boundary, on the back of Lots 1-5. These retained trees could be impacted by clearing and grading for construction of residences on Lots 1-5. Clearing and grading shall be outside the critical root zone of preserved trees. To provide adequate tree protection may require adjusting clearing/grading limits on these lots.
4. Approved tree protection measures must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation. Clearing and grading shall be outside the critical root zone of significant trees.
5. After rough clearing and grading, trees retained along the edge of clearing limits shall be evaluated for hazard trees. If removal of hazard trees is necessary, the applicant shall plant replacement trees consistent with the City's landscape code for replacement trees, IMC18.12.1390.
6. Traffic impacts of the proposed subdivision would be mitigated by a new traffic signal installed at the intersection of SE 48th St and Issaquah Pine Lake Road. The developer of the Issaquah 22 subdivision has a 'latecomer's agreement' for the traffic signal, managed by the City of Sammamish. The applicant shall pay their pro-rata share of the signal cost.
7. A City of Sammamish right-of-way permit will be required for all street frontage work on SE 4th St and would address haul routes, traffic control plan and channelization. The new access road will also need to meet City standards for sight distance on SE 48th St.
8. The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.

Recommended Preliminary Plat Conditions

9. The applicant shall record the lot line adjustment (LLA15-00001) on the Teunissen lot (APN 2224069126), prior to submitting plans for the Final Plat.
10. The applicant shall apply for a Site Works Permit to construct the roads, utilities and grading of the lots. A Final Plat review will follow after subdivision infrastructure has been installed or bonded for prior to recording.
11. Building setbacks and a 50% impervious surface limit shall be met on each of the residential lots and this will be reviewed and verified with building permits.
12. Public access easements shall be provided on the Final Plat for the wetland buffer trail, the trail connection from the south end of Road C to the wetland buffer trail, and the trail connection from the east end of the cul-de-sac (Road A) to the gravel road east of the site. The applicant shall be responsible for constructing the trail connections and improvements.
13. The alignment of the wetland buffer trail shall be located in the outer buffer and shall avoid impacting existing trees. The alignment shall be approved by the Development Services Department prior to installation.
14. The following critical area regulation conditions shall apply prior to final plat:
 - 1) Permanent survey stakes shall be set to delineate the boundaries between critical area tracts and adjoining lots.
 - 2) To prevent encroachment into the wetland area by residents and pets, the applicant shall install a split rail fence between the wetland buffer trail and the wetland.

- 3) Signs shall be installed, explaining the type and value of the critical area.
 - 4) A 5-year monitoring/maintenance period is required for the wetland/wetland buffer enhancement. Final mitigation plans shall include performance standards consistent with the King County Critical Areas Mitigation Guidelines.
 - 5) A 5 year monitoring/maintenance bond is required, equal to 50% of the cost of plants, installation, and the cost of 5 years of monitoring. The bond is required prior to Final Plat approval.
15. The applicant shall provide an as-built plan of the wetland/wetland buffer enhancement and the consulting biologist shall verify in writing that the planting has been installed per plan, prior to final plat approval.
 16. The applicant shall prepare a wetland hydrologic analysis to demonstrate pre-development hydrology to Wetland A would be maintained. Stormwater recharging the wetland shall be treated for water quality or come from non-pollution generating surfaces. This shall be approved by the City prior to issuing construction permits.
 17. The Homeowner Association (HOA) shall have long-term maintenance responsibilities for the wetland, wetland buffer area in Tract B, consistent with the objectives of the approved mitigation plan. Maintenance responsibilities include removal of garbage, maintenance of trail and fences, and hand-removal of invasive plant species such as Himalayan Blackberry, Reed Canary Grass, English Ivy, Thistle, Creeping Nightshade, and Japanese Knotweed. This shall be included as a note for Tract B on the Final Plat:
 18. The applicant shall coordinate with the developer of Issaquah 22/Rivenwood to pay their proportionate share of cost for the regional stormwater line. The applicant shall provide evidence of their agreement with the developer of Issaquah 22/Rivenwood, prior to recording the Final Plat.
 19. The applicant shall pay an in-lieu mitigation fee, based on their contribution of flow to the regional stormwater system, to partially fund downstream improvements necessary to mitigate for the impacts of the regional stormwater system improvements.
 20. Impact fees are required for each new single family residence. The following impact fees will be required and the applicable cost calculated at the time of issuance of building permits for each residential unit: Transportation, Fire, Schools, Parks, General Government (SEPA), Police (SEPA).

EXHIBIT LIST:

1. Preliminary Plat application, PP14-00003, including Affidavit of Agent Authority/Ownership
2. Vicinity map
3. Project narrative
4. Preliminary Plat Plans, revised 4/14/2015
5. Geotechnical Engineering Study, (GEO Group Northwest), dated 12/31/2014.
6. Stormwater Management Report (Mead & Hunt), dated 12/31/2014.
7. Wetland Report (Altmann Oliver Associates), dated 12/31/2014
8. Wetland/Wetland Buffer Enhancement Plans, (Altmann Oliver Associates), dated 12/31/2014
9. Certificate of Transportation Concurrency, CON15-00001, dated 3/31/2015

10. Public Notice – Notice of Application and Public Neighborhood Meeting, Notice of Proposed Land Use Action sign affidavit, SEPA Determination, Notice of Preliminary Plat Public Hearing sent to property owners, Preliminary Plat Public Hearing notice published in Issaquah Press.
11. Environmental Checklist, dated 12/31/2014
12. SEPA Determination, issued 3/18/2015
13. Public Neighborhood Meeting/River & Streams Board Meeting Minutes, dated 2/3/2015
14. Staff report, dated 4/28/2015